

## HAWAIIAN GAZETTE

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EDITOR

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CHARLES S. CRANE, Manager.

TUESDAY JUNE 4

## PROTECTING OUR PROTECTORS?

A police officer was assaulted a few weeks ago in Kakaako, was beaten and his police badge taken from him by force. One of his assailants was captured and was found to be wearing the badge. He was tried and found guilty and fined fifteen dollars!

Another police officer was recently assaulted, while in the discharge of his duty, by four men, three Japanese and a Chinaman, who beat the officer and hustled him. They were tried and convicted in the police court yesterday and received punishment in the form of suspended sentences!

A police officer, sent by his superior officer recently to carry out an order of the court and to protect a woman from threatened violence from a divorced husband, used force to prevent the assault, which, as would have been testified to if the judge had questioned the unconvicted defendant, came as expected. The man abused his former wife and rushed at her to strike her. The police officer stepped in and beat the man back, as any man, police officer or not, should have done. The police officer appeared as defendant in the police court yesterday, charged with assault. He had no attorney and was found guilty and fined twenty dollars.

This was the same officer who had been beaten up in Kakaako and whose assailant escaped with a fifteen-dollar fine!

We do not believe that the above record can be duplicated in any police court in America. Only in Honolulu, and only since the advent of Police Judge Monsarrat to the bench, has the assaulting of a police officer on duty become a minor offense, so trivial that a suspended sentence or a fine of fifteen dollars is deemed sufficient punishment. The idea of fining anyone, much less a police officer, for protecting a woman from assault would occur, let us hope, only to such a "judge" as now decorates our police court bench. The idea that a trivial fine is a sufficient punishment for the ringleader of a Kakaako gang, who not only committed an assault upon a police officer but committed the crime of highway robbery by forcibly taking away his badge, is exclusively, let us hope, the idea of His Honor of Merchant Street. The efficacy of the suspended sentence as a corrective measure for four men who would combine to beat up a police officer in broad daylight, in a crowded thoroughfare, is singular, let us hope, with Mr. Monsarrat.

The treatment of the police officers of this city by the officers of the police court is scandalous. Yesterday, the officer on trial for defending a woman had to appear with himself as an attorney, while pitted against him was one of the cleverest lawyers of the city. The court, sworn to see that justice was done, posed like a supreme court justice and let technicalities of law play tag with his judgment. This is simply silly. What Honolulu wants for a police court judge is a man with some law and plenty of ordinary horse sense, big enough intellectually to know that simple justice and not strict legal procedure is what a police court deals in.

The police of this city are underpaid in the first place and are not protected in their work in the second place. It is time for a change.

## TITANIC LESSONS.

One scientific fact upon which optimists fall back when hard pressed by their temperamental foes, the pessimists, is that nothing in this world is ever wasted. There was nothing about the Titanic disaster to indicate that it was an exception to this rule, and the action of the larger steamship companies plying in Atlantic and Pacific waters proves that the managements are taking to heart the terrible lesson taught by the loss of the great White Star liner.

Dispatches from the mainland relate that English and Atlantic coast shipbuilders are buying lifeboats in wholesale quantities, with the incidental result that the price of lifeboats has gone up nearly fifty per cent. Of course, there are some who will talk about locking the stable door after the steed has been stolen and similar futile statements, forgetting that the "horse" of the future and the present is still in our possession, and his safety depends largely upon the manner in which we guard him in the light of past events.

No man or set of men can be altogether wise for the future. The best we can do is to profit by the lessons of the past. One of the old world sages declared that the truly wise man "profits by the mistakes of others." Apparently then the managers of the other steamship lines are truly wise for they seem to be doing their best to profit by the hideous error of the White Star line in sending out a ship not fully equipped with the necessary life-saving devices.

The hundreds of women and children who died in the General Slocum disaster in the harbor of New York, did not die in vain. The heartbroken people of the East side can now go out on the river and bay in the excursion boats of today without danger of being dragged down to death by "life belts" filled with sawdust, or burned to death on boats that are mere fire traps. New York learned her lesson from the Slocum catastrophe and the whole world seems to be learning from the much more dreadful Titanic disaster the lesson of preparedness for anything the sea may bring.

## HONOLULU COULD AND SHOULD HELP.

The suggestion that the city, as the place to benefit most from its erection, should assist in the financing of the new armory project has much to commend it. The situation is somewhat different to that generally supposed and upon which this paper based an argument that the matter of a contract be left over until the next legislature could pass a supplementary appropriation. The armory lot has been released by the federal government to the territorial for armory purposes, provided the contract be let before March next, that time being too soon to allow of any legislative action and bringing the matter squarely up to the only other body able to appropriate public funds, the board of supervisors. The building planned by the architects as the least that can be built to accommodate a full regiment is estimated to cost \$123,000, which is \$23,000 more than is available from the loan fund. The proposition now is for the city, through its supervisors, to make up the difference.

The planned armory is to be of reinforced concrete, in the construction of which will be required much crushed rock and crusher sand. This the city is able to turn out from the municipal crushers at a price naturally lower than any private concern and it is proposed that the city contribute to the building fund by supplying the necessary rock and sand up to \$23,000 worth, if that much be required. With the present road work abridged as it is, it is unlikely that the city quarry plants are being kept busy, although the overhead charges are going on, and a way might very well be found to turn out building material for the armory at a nominal cost to the government.

Honolulu needs an adequate armory, for the national guard as well as for other public purposes. While we are building one, it seems the acme of good sense to build one that will answer all purposes.

## MAKE HASTE SLOWLY.

There are two courses open to Honolulu in the building of her armory. One is to rush ahead and build with the present appropriation. The other is to make haste slowly, wait until the legislature can meet and give us funds, and then build an armory which will be a credit to the city and fulfill the purpose for which it is designed. The attitude taken by General Macomb is undoubtedly the correct one in view of the good tidings he brings us of the intentions of the war department toward this Territory's militia command.

What we will need down here, when the department's plans are carried out in full, with a structure capable of housing many times the number of men contemplated when the legislature appropriated the money now in hand. That money is not sufficient to construct the armory as planned by Mr. Ripley, but falls \$23,000 short. It is to be hoped that when the legislature meets it will give the national guard the funds with which to build an armory, large enough to meet the requirements, and well equipped with all the necessary paraphernalia for producing the best results in training the citizen soldiers of Hawaii.

Doubtless the rebels caught attempting to poison the wells near Maunaloa, comforted themselves with the thought that "all's fair in love and war." It was evidently what their executioners believed.

## TRIUMPH OF THE WIRELESS.

On top of its many triumphs at sea, where it has no rival, the wireless now enters a new field, in which it has not as yet been so thoroughly tried out. It seeks to compete with the long distance land wire service, and the longer distance submarine cable. Its sponsors are sure of their ground and are going ahead as speedily as may be, putting into effect their plans for bringing the ends of the earth together. It is a new thing in the Pacific. On the Atlantic the experiment is of longer standing and from all accounts is proving itself a success commercially and financially.

Recent arrangements on the Atlantic Cable provide that deferred wireless messages from British stations are to be sent or received for eight cents a word, a reduction over the former rate of four cents, or just one-half of the cable tolls for the same service. The rate for immediate transmission will be from now on, sixteen cents, as compared with the transatlantic cable rate of twenty-five cents. All telegraph offices in the United Kingdom will cooperate with the Marconi system which is giving this service. The Western Union Telegraph Company has arranged to handle all the messages as receiver and distributor in the United States and Canada.

Just what this will mean to the world it is impossible to predict. It is a boon as great as was the first cable. Cheapening talk at such rates is not by any manner of means cheap talk. It is, however, a tremendous blow to the cable companies, unless they follow suit and keep pace with their young and active competitor. In a sense the cable companies of the Atlantic have themselves to blame for the condition they now find themselves facing. Their capacity has been and is, approximately 300,000,000 words per year. Instead of exerting themselves, they have preferred to limit themselves to a paltry 25,000, 000 words per year rather than attempt to tap the almost inexhaustible traffic at their hand.

It is absurd to set any limit to the number of words that will pass in a year between the people of the mainland and the people of Honolulu, when the wireless is installed. At present, owing to somewhat similar conditions, that traffic is limited to a foolishly small part of what it could be developed into. A very large proportion of the messages that do pass now are in code, that is to say are of a purely commercial nature. Not one family in a hundred here or on the Coast ever dreams of sending a message by cable. It costs too much. It is interesting to conjecture what will be the result of the installation of the wireless and the resultant reduction in rates.

It will mean the lengthening of the life of every man in the Islands by saving time for him. Cheap communication is the key to the progress the world has made since the invention of the steam engine and the telegraph, it is the secret that lies behind most of the momentous events in the world of commerce and diplomacy. Wireless means that the world is still shrinking at a tremendous rate, that the farther ends of the earth are to come closer and closer into touch and that the broad spirit of humanity is to take a fresh lease on life and go forward strengthened by the reviving influence of more intimate relationship between nation and nation, and man and man.

## ONE STEP FORWARD AND BACK.

The Democratic majority in the house of representatives yesterday retrieved one of its big mistakes and then made another. The "two battleship item," which had been voted out of the appropriation bill on the score of economy, has been replaced, while the appropriation for the carrying on of the work of the tariff board was cut out.

Popular opinion in favor of a continuation of the navy on a scale commensurate to the world's importance of the nation forced the recantation on the battleship building policy. The race for naval supremacy is, beyond controversy, a senseless one, yet so long as the rest of the world is in it, Uncle Sam must perform run and if he runs he must run with the leaders. Germany has just announced a great supplemental naval program; Great Britain has met this with the announcement of more ships, and France is perfecting her submarine and cruiser naval branch. Japan, sweating under ever increasing taxes, yet launches her dreadnoughts and lays down her great cruisers in the contest. The United States, having refused liberal arbitration treaties with Britain, Germany and Japan, can not be the first to sit back and watch the other navies grow.

The Democratic volte face is along the right line in this, but little can be said in favor of the abolition of the tariff board unless the intention is to create another such board to report directly to congress. Certainly there is use for a tariff board if there is to be tariff revision along proper and adequate lines. Tariff making, as exemplified from the McKinley Bill to date, is now a matter of grab, trade and dicker, with all the protected interests combining back of each item of tariff policy as it is taken up. The theory of protectionists is that the tariff should be so framed as to balance domestic and foreign costs of production, with a reasonable profit to the industry protected. In practice, as has been pointed out by statesmen of both parties, the tariff has been framed by legislators acting without adequate knowledge of facts and conditions and influenced by those most directly interested in having not only protection but every possible advantage. The result is the present political upheaval, in which there is a bitterness and an unrest among the people without their possession of any certain knowledge at whom to strike.

The contention has been made that the Taft tariff board has been the excuse to hold back tariff reform, but even if that be true, which none who know will acknowledge, it need not remain true, either of the present or of future boards. The business of the tariff board exports is to secure the truth and lay it before congress and certainly the truth is needed there when questions of tariff amendments are to the fore. The actions of the Democratic majority regarding the tariff board and its work indicate that the tariff to Democrats is still to be more of a political than an economic question.

## HAWAII'S GROWING COMMERCIAL IMPORTANCE.

According to the latest report of the department of commerce and labor, received from Washington by the last mail, the commerce of Hawaii is steadily increasing in volume and valuation, indicating a prosperous condition of business in the Islands.

The summary for the nine months ending with March, compared with the same period of the previous year, shows a remarkable growth in trade, especially in incoming shipments of merchandise, which increased in valuation over a million dollars in that time—from \$10,750,781 to \$17,927,482.

In imports from the United States during the nine months' period, under the classification of "breadstuffs," including flour, biscuits, rice and preparations for table food, came shipments to the value of \$1,762,535. For the same period of the previous year the valuation was only \$1,382,180.

Cattle, horses, mules and other animals, including fowls, were brought in to the value of \$218,335, an increase of over eighty thousand dollars.

Agricultural implements increased from \$22,398 to \$42,305; automobiles, tires and appliances, from \$598,745 to \$672,145; motorcycles, bicycles and parts of, from \$36,052 to \$41,227; clothing and wearing apparel, from \$1,719,172 to \$1,729,066; eggs, from \$24,302 to \$33,713; fish, from \$24,256 to \$390,391; fruits and nuts, from \$218,393 to \$247,051; rubber goods, from \$257,487 to \$310,112; electrical appliances, including telephone and telegraph instruments, from \$124,195 to \$142,394; steel rails for railways, from \$39,952 to \$69,968; manufactured articles of iron and steel, from \$2,761,982 to \$2,909,574; meats and dairy products, from \$678,051 to \$706,505; pianos and piano-players, from \$31,344 to \$34,160; oil, from \$1,277,093 to \$1,249,084; books and printed matter, from \$100,324 to \$122,435; printing paper, from \$48,582 to \$59,499; perfumery, cosmetics and toilet preparations, from \$17,453 to \$20,788; phonographs, graphophones and records, from \$20,163 to \$24,902; soaps, from \$101,000 to \$146,000; spirits, wines and malt liquors, from \$499,588 to \$554,048; confectionery, from \$47,527 to \$61,671; tobacco, from \$403,034 to \$551,582; toys, from \$20,790 to \$33,449; vegetables, from \$229,150 to \$282,507; lumber and manufactures of wood, from \$1,154,756 to \$1,249,727.

Compared with the figures of 1910, the present report shows that the volume of imports for nine months has advanced since then more than two million dollars.

Shipments to the United States for the nine months with March totaled over thirty-six millions, the same period of the previous year having been a little less than twenty-six millions—the increase of more than ten millions being credited principally to the prosperous season in the sugar industry.

Pineapples were next to sugar in export valuations, increasing for the nine months' period over that of the former year from \$1,855,046 to \$2,257,605; bananas, from \$73,783 to \$87,781; coffee, from \$274,008 to \$304,930; tobacco and manufactures, from \$1154 to \$94,978; raw wool, from \$49,805 to \$61,687.

President Taft has chosen the right course in demanding that the hearings of the national committee on the many contents filed by Mr. Roosevelt, shall be held in public. It is a move calculated to draw the fire of his foe and destroy their hope of being able to yell "Fraud."

The state department's decision to permit the sale of five thousand Krags and ammunition to the Cubans is pretty much the same policy adopted by the owners of the famous Kibbeny Cats.

## Whole World Congratulates His Holiness on Birthday

ROME, July 2.—Pope Pius X. reached his seventy-seventh birthday anniversary today. Owing to the fact that he had been indisposed in health recently, there was no celebration of the day. During the morning, however, many of the cardinals, Vatican officials and other Italian and foreign churchmen and laymen left their cards and many addresses and telegrams of congratulations were received by His Holiness from all parts of the world.

## THE CASE OF JUDGE MONSARRAT AND THE ADVERTISER'S POSITION REGARDING IT

## A GOOD JUDGE.

Editor Advertiser:—I feel it is only fair to Judge Monsarrat to protest against the article appearing in this morning's edition of your paper in relation to his suing Officer Nobriga. While I am not acquainted with the facts in the case, I do know that police officers are allowed to assault citizens only in cases where it is necessary for their own safety, or retaliation for an assault made on them.

All attorneys who practise in the police court know that there are many cases in which citizens have been assaulted by police officers far more than was required by the circumstances, and the facts never attracted public attention.

The records of the court show that Judge Monsarrat has dealt very severely with offenders who have made assaults upon police officers when the cases warranted such severity, notably the case of the man who assaulted Officer Carter who was sentenced to imprisonment for six months, and fining a lieutenant of the U. S. army \$250 for assaulting Officer Wright, and it is evident from these sentences that they were imposed for the purpose and from the desire to uphold the police department.

In relation to his suspending sentence in the Holt case, I will state that the court can only suspend sentence in cases where a motion to that effect is made by the county attorney's office; it must consequently be assumed that such motion was made by that office, and for cause shown.

It would appear that many of the attacks made by the newspapers on Judge Monsarrat are inspired by outside sources and not from personal acquaintance with the matters.

In conclusion I will state that in my opinion Judge Monsarrat is fearless in his rulings, though working under a great disadvantage.

Very respectfully,

LORRIN ANDREWS.

June 1, 1912.

## W. O. SMITH'S DEFENSE.

Editor Advertiser:—The case against Policeman Nobriga for assault and battery has been so misrepresented and attracted so much attention that a brief statement of the facts should be made.

At the request of Judge Dole I investigated the complaint which the Chinese, Ah Long, made of assault by the officer, and found that on Sunday afternoon, May 19, Ah Long's divorced wife and the Officer Nobriga went to Ah Long's house in Panon, and the wife entered the house, opened a trunk and made a search for some of her clothes which she claimed were still there. Ah Long was sent for by one of the people on the place and on arriving the officer demanded that he deliver to his wife her clothes. Ah Long replied that she had received all of her clothes.

Nobriga continued making the demand and Ah Long continued replying she had all of her things. Finally the officer told him that if he did not give up the things he would take him to the station house and it would cost him \$50. Ah Long replied, "Well take me if you want to!" Thereupon the officer seized hold of Ah Long by his shirt in front and shook him, and after descending to the ground from the house the officer shook him again, and as they were leaving the premises Ah Long stopped and called back to his cousin to come down to the station house and bring some money to bail him out, and the evidence of the witnesses for the prosecution was that at that point the officer struck Ah Long with his fist, first in front, and as Ah Long turned struck him again on his back. The officer in giving his evidence said that he did not strike him, but took hold of him by his shoulder. Ah Long was not allowed to put on his shoes or his coat and was taken out on the public streets and had to wait with the officer until the police patrol wagon came and he was driven through the streets to the police station and there turned over by Nobriga to his superior officer.

The superior officer, upon inquiry, refused to enter any charge and told Ah Long to go home, stating that it was a civil case.

The evidence of Ah Long and of another Chinese and of two Hawaiian women, who were present, was that during the whole of the occurrence at Panon Ah Long offered no violence either to his wife or to the police officer.

The King county commissioners took steps at Seattle for the construction of a county crematory on the county farm, in which crematory the bodies of 2000 paupers now buried on the farm will be burned. Hereafter there will be no potter's field, but the unclaimed bodies of paupers will be burned. The site of the present county crematory will be leased to factories.

EDITOR ADVERTISER.

With all due deference to the writers of the above, The Advertiser sees no reason for not maintaining its position in regard to the lack of protection with such changes in our law as will such is needed in Honolulu, together of law. In police courts, however, justice is usually to be found, rough and ready, possibly, but satisfactory to the common sense of the ordinary man.

turn to justice from the present mazes given the police officers of this city and to the general ineptitude displayed by Judge Monsarrat in his handling of police court cases. Mr. Smith, in his letter above, repeats in the case, but the trouble lies in the fact that the police officer conducted his own defense and very plainly omitted to establish the main fact, that it was to prevent an assault upon a woman that he used the force attributed to him. In any other police court, the presiding judge would have himself questioned the witnesses upon this most material point, not allowed a police-defendant to flounder about in the meshes of legal procedure unassisted.

Judge Whitney and Judge Lymer, predecessors of Judge Monsarrat, had the happy faculty of reaching the essential facts in the cases brought before them, brushing aside technicalities to render plain justice. Judge Monsarrat, on the other hand, prefers to treat cases coming before him in the same manner as do too many of the higher court judges, in which technicalities play so great a share that the American public is clamoring for "judicial reform" and in it, demand a re-give the police officers the assurance forms." From President Taft down, the leaders of thought, outside the law, out their duties the whole legal machinery of the government.

The Advertiser has the greatest respect for Judge Monsarrat as a man, but as a police court judge we look upon him as a distinct failure, basing this opinion upon a careful observation of his judicial actions for many months.

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